

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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Khari Varner, Tera Strawter, K.L.V.,
N.V., K.V.,

Case No. 2:24-cv-00341-RFB-DJA

Plaintiffs,

Order

v.

CPS/CCDFS, et al.,

Defendants.

Before the Court is Plaintiff Khari Varner's application to proceed *in forma pauperis*. (ECF No. 10). However, because Varner's application contains inconsistent information, the Court denies the application without prejudice. Additionally, because Plaintiff Tera Strawter has not filed a separate application to proceed *in forma pauperis*, the Court will require both Varner and Strawter to file applications.¹

I. Varner's application is unclear.

Varner's application explains in response to question two that she earns \$100 per week from self-employment and \$350 per month from rent. (ECF No. 10 at 1). The \$350 appears to come from rental income, but Varner later asserts in response to question 6 that her only expense is rent totaling \$350 per month. (*Id.* at 2). It is thus unclear whether Varner is claiming to earn \$350 in rental income, to pay that much in rent, or both. In any renewed application, Varner must explain whether she receives \$350 in rental income, pays that in rent, or both.

¹ Although K.L.V., N.V., and K.V. are also listed as Plaintiffs, the Court will not require applications from them because, based on the initial complaint, they appear to be minor children. (ECF No. 1 at 5-6). As will be addressed more fully upon screening, a parent or guardian cannot bring an action on behalf of a minor child without retaining a lawyer. *See Johns v. Cnty. of San Diego*, 114 F.3d 874, 877 (9th Cir. 1997).

1 **II. Strawter must also file an application.**


2 Tera Strawter, as a named Plaintiff, must also file a separate application to proceed *in*
3 *forma pauperis*. “[A]lthough only one filing fee needs to be paid per case, if multiple plaintiffs
4 seek to proceed *in forma pauperis*, each plaintiff must qualify for IFP status.” *Anderson v.*
5 *California*, No. 10-cv-02216-MMA-AJB, 2010 WL 4316996, at *1 (S.D. Cal. Oct. 27, 2010).
6 Without knowing each Plaintiff’s financial circumstances, the Court cannot conclude that they are
7 eligible to proceed *in forma pauperis*. Accordingly, the Court will require both Strawter *and*
8 Varner to file *separate* applications containing only the individual Plaintiff’s financial
9 information. *See Remmert v. Newsome*, No. 1:23-CV-00050-ADA-HBK, 2023 WL 1806277, at
10 *2 (E.D. Cal. Jan. 31, 2023) (requiring each Plaintiff to submit their own separate application if
11 they wished to proceed *in forma pauperis*).
12

13 **IT IS THEREFORE ORDERED** that Varner’s application to proceed *in forma pauperis*
14 (ECF No. 10) is **denied without prejudice**.

15 **IT IS FURTHER ORDERED** that both Strawter *and* Varner must file *separate*
16 applications to proceed *in forma pauperis* on or before **May 13, 2024**. Alternatively, they may
17 choose to pay the \$405 filing fee, which includes the \$350 filing fee plus the \$55 administrative
18 fee, on or before May 13, 2024. **Failure to comply with this order may result in a**
19 **recommendation of dismissal**.

20 **IT IS FURTHER ORDERED** that the Clerk of Court is kindly directed to send Plaintiffs
21 a copy of this order and two copies of the form application for a non-inmate to proceed *in forma*
22 *pauperis* and their accompanying instruction packets.
23

24 DATED: April 12, 2024

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26 _____
27 DANIEL J. ALBREGTS
28 UNITED STATES MAGISTRATE JUDGE